



Annual Town Meeting May 7, 2007

TOWN OF WHITMAN
COMMONWEALTH OF MASSACHUSETTS

Plymouth, SS:

To either Constable of the Town of Whitman

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Whitman qualified to vote in elections and Town affairs to meet in the Town Hall in said Whitman on

MONDAY, THE SEVENTH DAY OF MAY, 2007

At seven thirty P.M. then and there to act on the following articles:

Article 1

To hear the reports of several Boards, Officers and Committees, and act thereon.

Article 2

To determine how much money the Town will raise and appropriate for General Government, Protection of Persons and Property, Health and Sanitation, Public Works, Veterans' Benefits, Education, Library, Recreation and Unclassified, specifying what appropriations shall be taken from the receipt of a department.

Proposed by the Finance Committee and the Board of Selectmen

Article 3

To see if the Town will bring in their vote for the following Town officers: One Town Treasurer for Three Years; Two Selectmen for Three Years; One Assessor for Three Years; Two PK-12 Whitman-Hanson Regional School District Committee Members for Three Years; One Department of Public Works Commissioner for Three Years; Two Public Library Trustees for Three Years; One Public Library Trustee for Two Years – to fill vacancy; One Planning Board Member for Five Years; One Planning Board Member for One Year – to fill vacancy; One Board of Health Member for Three Years; and to choose all other necessary officers.

The polls for the election of officers will be opened in said Town Hall at nine o'clock in the forenoon on said Saturday, the 19th day of May, 2007, and kept open until six o'clock in the evening. Both of which days will constitute the Annual Meeting and this call is issued in accordance with the vote of the Town passed January 29, 1902.

Proposed by the Board of Selectmen

Article 4

To see if the Town will vote to increase the superannuation retirement allowance of any former employee who has served at least twenty-five (25) years in the Town to fifty (50%) percent of the regular compensation paid to employees holding a similar position in the same grade or classification which the former employee held at the time of retirement, under the provisions of Chapter 32, Section 90C of the Massachusetts General Laws.

Proposed by Citizens Petition
Finance Committee voted to not recommend 7-0

NOTE: This requires a 2/3 vote.

Revolving Account Authorizations

Article 5

To see if the Town will vote, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to continue for Fiscal Year 2008 a Council on Aging Revolving Account to be used exclusively for the receipt of minibus fares and programs and disbursed by the Director of the Council on Aging to defray Council on Aging expenses

for programs and minibus repairs, said disbursements not to exceed \$10,000.00, or take any other action relative thereto.

Proposed by the Council on Aging
Finance Committee voted to recommend 7-0

Article 6

To see if the Town will vote, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to continue for Fiscal Year 2008 the Library Fines and Fees Revolving Account to be used exclusively for the receipt of Library fine funds and disbursed by the Library Trustees to defray Library expenses, said disbursement not to exceed \$15,000.00, or take any other action relative thereto.

Proposed by the Board of Library Trustees
Finance Committee voted to recommend 7-0

Article 7

To see if the Town will vote, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to continue for Fiscal Year 2008 a Passport Fees Revolving Account to be used exclusively for the receipt of fees generated from the sale of passport photographs and services in the Town Clerk's office and disbursed by the Town Clerk to defray expenses for photo supplies associated with the sale of passport photos, said disbursements not to exceed \$3,000.00, or take any other action relative thereto.

Proposed by the Town Clerk
Finance Committee voted to recommend 7-0

Article 8

To see if the Town will vote, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to continue for Fiscal Year 2008 the Planning Board Revolving Account to be used exclusively for the receipt of fees paid upon submission of plans, the amount expended not to exceed \$75,000.00 and to be expended by a majority vote of the Planning Board to cover Planning Board expenses necessary for the review and disposition of plans, including, but not limited to, expenses for engineering inspection, survey review, By-Law compliance, record keeping and filing of appropriate documents, while not employing any additional paid staff except by Town Meeting approval, or take any other action relative thereto.

Proposed by the Planning Board
Finance Committee voted to recommend 7-0

Article 9

To see if the Town will vote, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to create for Fiscal Year 2008 a Fire-Rescue

and Building Department Revolving Account to be used exclusively for the receipt of fines, penalties or assessments collected for enforcement of Fire and Building regulations as described in Chapter 304 of the Acts of 2004 relative to fire safety in the Commonwealth, and earmark such fines, penalties or assessments collected for enforcement, training and education of Fire Prevention Officers, Building Inspectors and related expenses, to be disbursed by the Chief of the Fire-Rescue Department, said disbursements not to exceed \$10,000.00, or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department
Finance Committee voted to recommend 7-0

Article 10

To see if the Town will vote, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to create for Fiscal Year 2008 a Fire-Rescue and Fire Alarm Revolving Account to be used exclusively for the receipt of funds collected for construction, repair and maintenance of the Town's municipal fire alarm system, and earmark such funds collected for defraying the costs of same, to be disbursed by the Chief of the Fire-Rescue Department, said disbursements not to exceed \$10,000.00, or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department
Finance Committee voted to recommend 7-0

Reserve Fund Authorizations

Article 11

To see if the Town will vote to create a Technology Stabilization Account as provided in MGL C40 § 5B to provide for future upgrades to the town's data networks, and to raise and appropriate the sum of \$5,000.00 to be added to said account, or take any other action relative thereto.

Proposed by the Town Administrator This article requires a 2/3 Vote to approve
Finance Committee voted to recommend 6-0

Article 12

To see if the Town will vote to create a Reserve for Appropriation Road Maintenance account for the receipt of \$50,000.00 to be received over time from the developer of the subdivision known as Heritage Park, said funds to be appropriated by future town meetings for the maintenance and repair of Hogg Memorial Drive during construction of the Heritage Park subdivision, with any unexpended funds to be used subsequent to completion of the Heritage Park subdivision for the purpose of the reconstruction of Hogg Memorial Drive and/or the construction of sidewalks along that portion of Hogg Memorial Drive existing as a public way as of the date of approval of this Article, or take any other action relative thereto.

Proposed by the Board of Appeals
Finance Committee voted to recommend 7-0

Appropriations Outside the Levy Limit

Article 13

To see if the Town will vote to appropriate from the Reserve for Appropriation Whitman-Hanson Regional High School Debt Exclusion Reserve Account the sum of \$651,495.00 for the purpose of making debt payments on debt issued by the Whitman-Hanson Regional Schools for the high school project, which debt was authorized by Article 7 of the May 7, 2002 Annual Town Meeting and the May 18, 2002 debt exclusion vote, or take any other action relative thereto.

Proposed by the Town Treasurer
Finance Committee voted to recommend 7-0

Article 14

To see if the Town will vote to raise and appropriate, outside the levy limit, the sum of \$465,483.00 for the purpose of making debt payments on debt issued by the Whitman-Hanson Regional Schools for the Whitman K-8 school projects, which debt was authorized by Article 1 of the February 23, 1998 Special Town Meeting and the March 4, 1998 debt exclusion vote, or take any other action relative thereto.

Proposed by the Town Treasurer
Finance Committee voted to recommend 7-0

Appropriations to / from Reserve for Appropriation Accounts

Article 15

To see if the Town will vote to raise and appropriate the sum of \$ 197,635.00 to the Town Debt Service Reserve Account, from which account monies may be appropriated to make debt payments on the various Town capital projects, or take any other action relative thereto.

Proposed by the Town Treasurer
Finance Committee voted to recommend 6-0

Article 16

To see if the Town will vote to transfer from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) to the Town Debt Service Reserve Account the sum of \$100,000.00, from which account monies may be appropriated to pay the principal and/or interest on debt authorized under Article 41 of the Annual Town Meeting of May 19, 1998, for the purposes of renovations, additions and remodeling to the Town Hall, Police Station, Fire Station, Town Library and other capital projects, or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department and the Town Treasurer
Finance Committee voted to recommend 7-0

Article 17

To see if the Town will vote to appropriate the sum of \$297,635.00 from the Reserve for Appropriation Town Debt Service Reserve Account to make payments on debt issued for the purpose of renovations, additions and remodeling of the Town Hall, Police Station and other capital projects, with any unexpended balance to be returned to the Reserve for Appropriation Town Debt Service Reserve Account, or take any other action relative thereto.

Proposed by the Town Treasurer
Finance Committee voted to recommend 7-0

Article 18

To see if the Town will vote to transfer the sum of \$3,858.00 from the Reserve for Appropriation Title V Loans Account to make debt payments for fiscal year 2008, with any balance remaining at the end of the fiscal year to be returned to the Reserve for Appropriation Title V Loans Account, or take any other action relative thereto.

Proposed by the Town Treasurer
Finance Committee voted to recommend 7-0

Article 19

To see if the Town will vote to transfer the sum of \$32,959.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) to Article 2, Fire-Rescue & Emergency Services Clerical Line, Administrative Assistant to the Fire Chief, or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department
Finance Committee voted to recommend 7-0

Article 20

To see if the Town will vote to transfer the sum of \$30,000.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) to the following lines of Article 2:

Ambulance Repair & Maintenance	-	\$ 5,000.00
Ambulance Billing	-	\$25,000.00

or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department
Finance Committee voted to recommend 7-0

Article 21

To see if the Town will vote to transfer the sum of \$150,000.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) to Article 2, Fire-Rescue & Emergency Services, All Other Services line, or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department
Finance Committee voted to recommend 7-0

Article 22

To see if the Town will vote to transfer the sum of \$54,175.00 from the Reserve For Appropriation Ambulance Account (Ambulance Receipts) for the second of five lease-purchase payments for the Rescue truck for the Fire-Rescue & Emergency Services Department, or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department
Finance Committee voted to recommend 7-0 NOTE: This article requires a 2/3 vote

Article 23

To see if the Town will vote to transfer the sum of \$56,500.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) for the fourth of seven lease-purchase payments for the mid-mount aerial ladder truck, Agreement No. MA031303 dated July 15, 2003, or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department
Finance Committee voted to recommend 7-0 NOTE: This article requires a 2/3 vote

Article 24

To see if the Town will vote to transfer the sum of \$4,000.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) to purchase and equip a water rescue craft, or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department
Finance Committee voted to recommend 7-0

Article 25

To see if the Town will vote to transfer the sum of \$31,000.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) to purchase one new Lifepak12® cardiac monitor/defibrillator and upgrade two Lifepak12® cardiac monitor/defibrillators currently in-service with the latest technology for biphasic operation, or take any other action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department
Finance Committee voted to recommend 7-0

Article 26

To see if the Town will vote to transfer from the Reserve for Appropriation Motor Vehicle Fine Account the sum of \$63,186.73 for the following payments to lease/purchase and equip vehicles to be used by the Whitman Police Department:

- A. \$19,775.75 for the third of three annual payments for one 2005 cruiser and one 2006 cruiser;
- B. \$21,410.98 for the second of three annual payments for two 2007 cruisers;
- C. \$22,000.00 for the first of three annual payments for two new cruisers,

or take any other action relative thereto.

Proposed by the Chief of Police

Finance Committee voted to recommend 7-0 NOTE: This article requires a 2/3 vote

General Appropriations

Article 27

To see if the Town will vote to transfer from the Reserve for Appropriation Motor Vehicle Fine Account the sum of \$30,765.00 to purchase radio equipment for the Police Department, or take any other action relative thereto.

Proposed by the Chief of Police

Finance Committee voted to recommend 7-0

Article 28

To see if the Town will vote to appropriate from Community Policing funds the sum of \$3,100.00 to pay the first year of a two-year lease agreement for a motorcycle for the Police Department, or take any other action relative thereto.

Proposed by the Chief of Police

NOTE: This article requires a 2/3 vote

Finance Committee voted to recommend 5-2

Article 29

To see if the Town will vote to raise and appropriate the sum of \$46,000.00 to purchase and install two stainless steel spreaders on existing trucks in the DPW Fleet, or take any other action relative thereto.

Proposed by the Department of Public Works Commissioners

Finance Committee voted to recommend 8-0

Article 30

To see if the Town will vote to raise and appropriate the sum of \$11,500.00 to purchase / replace a multi-function printer in the Town Clerk's office, or take any other action relative thereto.

Proposed by the Town Administrator

Finance Committee voted to recommend 7-0

Article 31

To see if the Town will vote to raise and appropriate the sum of \$5,000.00 for web site development, or take any other action relative thereto.

Proposed by the Town Administrator
Finance Committee voted to recommend 7-0

Article 32

To see if the Town will vote to raise and appropriate the sum of \$2,000.00 to be used for the purpose of holding a Household Hazardous Waste Collection Day, or take any other action relative thereto.

Proposed by the Board of Health
Finance Committee voted to recommend 7-0

Article 33

To see if the Town will vote to raise and appropriate the sum of \$6,500.00 to cover the cost of implementing the "Project Lifesaver International Program", or take any other action relative thereto.

Proposed by the Council on Aging and the Chief of Police
Finance Committee voted to recommend 6-0-1

Article 34

To see if the Town will vote to raise and appropriate the sum of \$6,000.00 to pay for expenses associated with the Tri-Town Veterans' Day Parade in the Town of Whitman, or take any other action relative thereto.

Proposed by the Veterans' Agent
Finance Committee voted to recommend 7-0

Article 35

To see if the Town will vote to raise and appropriate the sum of \$2,000.00 to fund an annual longevity payment to the Town Clerk and Town Treasurer, or take any other action relative thereto.

Proposed by the Town Clerk and Town Treasurer
Finance Committee voted to recommend 6-0

Article 36

To see if the Town will vote to raise and appropriate a sum of money to pay the cost to inventory and store public records and convert certain public records to electronic format, and to archive said records, or take any other action relative thereto.

Proposed by the Town Clerk and Town Administrator

Related to Town Property

Article 37

To see if the Town will vote to appropriate the sum of \$250,241 from available Chapter 90 funds for the construction or repair of streets and sidewalks in the Town of Whitman, or take any other action relative thereto.

Article 38

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to fund the cost of capital improvement projects, or take any other action relative thereto.

Proposed by the Capital Improvement Advisory Committee

Article 39

To see if the Town will vote to accept as public ways the following ways, as depicted on the recorded subdivision plans referenced below, and for which a copy of each subdivision plan is filed in the office of the Town Clerk:

Magnolia Circle
Fieldstone Circle
Danecca Drive
Pine Street Extension
Fox Hill Run
Locust Hill Lane
Shelly Lane
Hunter's Path

or take any other action relative thereto.
Proposed by the Board of Selectmen

This article requires a 2/3 vote

Article 40

To see if the Town will vote to appropriate from free cash the sum of \$100,000.00 for historic renovation of the town park, said appropriation to be expended by the Park Commissioners, conditioned on the receipt of a grant for not less than 50% of the funds to be expended under this appropriation, or take any other action relative thereto.

Sponsored by the Board of Selectmen
Finance Committee voted to recommend 5-0-1

Proposed By-Law Amendment(s)

Article 41

To see if the Town will vote to increase the number of Associate Members on the Board of Appeals from two to three members by amending the Town of Whitman By-Laws, Section 12-7-A, to read as follows:

A) *Membership.* There shall be a Board of Appeals of five (5) members and three (3) associate members,

or take any other action relative thereto.

Proposed by the Board of Appeals

NOTE: This article must be approved unanimously or by a standing vote.

Home Rule

Article 42

To see if the Town will vote to request our Representative in the General Court to file a Home Rule Petition to increase the number of elected members of the Department of Public Works Commission from three (3) to five (5), or take any action relative thereto.

Agreements

Article 43

To see if the Town will vote to raise and appropriate the sum of \$24,827.35 buy back accrued sick leave from two (2) Town employees as follows:

Employee	Amount Requested
M. Claire Smedile	\$ 15,199.20
Frances C. Zeoli	\$ 9,628.15

or take any other action relative thereto.

Proposed by the Board of Selectmen

Article 44

To see if the Town will vote, pursuant to the provisions of the Massachusetts General Laws, Chapter 150E, Section 7, to raise and appropriate the sum of \$185,000.00 to fund the cost items for the first year of a three year Collective Bargaining Agreement between the Town of Whitman and Local 1769, International Association of Firefighters, A.F.L.-C.I.O. (Whitman Fire Department), for the period commencing July 1, 2007 through June 30, 2010, or take any other action relative thereto.

Proposed by the Board of Selectmen

Article 45

To see if the Town will vote to raise and appropriate the sum of \$7970.00 to pay for an increase in the annual salary and benefits of the Superintendent of the Department of Public Works for the period commencing January 01, 2007 through June 30, 2007 and to raise and appropriate the sum of \$15,940 as additional annual salary and benefits of the Superintendent of the Department of Public Works for the fiscal year commencing July 1, 2007 and ending June 30, 2008, pursuant to the terms and conditions of employment established by the Commissioners for the Department of Public Works, and with all such appropriations subject to the passage by the Massachusetts Legislature of special legislation referenced by Article 14 of the May 07, 2007 Special Town Meeting Warrant or take any action relative thereto.

Proposed by the Board of DPW Commissioners

Article 46

To see if the Town will vote to transfer the sum of \$3,985 from the Department of Public Works Sewer Enterprise Fund Free Cash Account and the sum of \$3,985 from the Department of Public Works Water Enterprise Fund Free Cash Account to pay for an increase in the annual salary and benefits of the Assistant [Associate] Superintendent of the Department of Public Works for the period commencing January 01, 2007 through June 30, 2007 and to transfer the sum of \$7,970 from the Department of Public Works Sewer Enterprise Fund Free Cash Account and the sum of \$7,970 from the Department of Public Works Water Enterprise Fund Free Cash Account as additional annual salary and benefits of the Assistant [Associate] Superintendent of the Department of Public Works for the fiscal year commencing July 1, 2007 and ending June 30, 2008, pursuant to the terms and conditions of employment established by the Commissioners for the Department of Public Works, and with all such transfers subject to the passage by the Massachusetts Legislature of special legislation referenced by Article 14 of the May 07, 2007 Special Town Meeting or take any action relative thereto.

Proposed by the Board of DPW Commissioners